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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 Keith Hoff,

10 Plaintiff

11 v.

12 United States et al.,

13 Defendants
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Case No.: 2:12-cv-00235-JAD-PAL

**Order Denying Motion
for Appointment of Counsel [Doc. 60]
and Denying Motion for Court Order
for Pre-trial Payment [Doc. 61]**

15 This 42 U.S.C. § 1981 civil-rights action was dismissed with prejudice on August 23, 2013.¹
16 The district court denied plaintiff Keith Hoff's motion to reopen the case on December 4, 2013, and
17 the Ninth Circuit dismissed Hoff's appeal for failure to pay docketing fees on January 24, 2014.²
18 Hoff now brings a motion for appointment of counsel and a motion for court order for pre-trial
19 payment.³ When a case is involuntarily dismissed with prejudice, however, this "operates as an
20 adjudication on the merits."⁴ In other words, the court has determined that the claims raised in this
21 case can no longer be pursued through litigation. There will be no trial.
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24 ¹ Doc. 44.

25 ² Docs. 52, 55.

26 ³ Docs. 60, 61.

27 ⁴ See Fed. R. Civ. P. 41(b).
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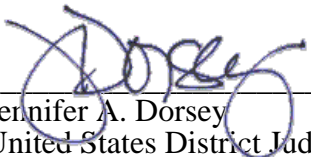
1 Accordingly, and with good cause appearing,

2 It is hereby ORDERED that Plaintiff Keith Hoff's motion for appointment of counsel [Doc.
3 60] is **DENIED** as moot.

4 It is further ORDERED that Plaintiff's motion for court order for pre-trial payment [Doc. 61]
5 is **DENIED** as moot.

6 It is further ORDERED that no further pleadings from Plaintiff will be accepted for filing in
7 this action without prior approval from the court.

8 DATED April 23, 2014.

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12 Jennifer A. Dorsey
13 United States District Judge
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